

AN ORDINANCE approving the awarding of Reference #5074 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and GERIG'S TRUCKING & LEASING, INC. AND ACTICARB, A DIVISION OF ROYAL OAK ENT., INC. for the Water Filtration Plant.

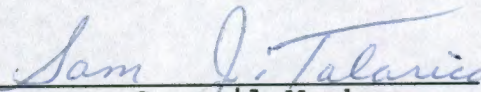
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5074 between the City of Fort Wayne, by and through its Department of Purchasing and GERIG'S TRUCKING & LEASING, INC. AND ACTICARB, A DIVISION OF ROYAL OAK ENT., INC. for the Water Filtration Plant, respectfully for:

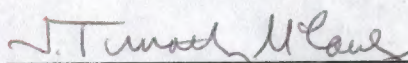
the purchase and shipping of powdered activated carbon for the treatment of drinking water for the Water Filtration Plant;

involving a total cost of One Hundred One Thousand Three Hundred Thirty-One and no/100 Dollars (\$101,331.00±) - (ACTICARB - \$81,000.00±; GERIG'S - \$20,331.00±), all as more particularly set forth in said Reference #5074 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.: 5074
DEPT: FILTRATION PLANT
DATE: 02/04/93
ITEM/SERVICE: POWDERED ACTIVATED CARBON &
SHIPPING OF SAME

PURCHASING INFORMATION

ADVERTISED BID: YES
DATES ADVERTISED: 11/23/92 & 11/30/92
OPENING DATE: 12/10/92
WRITTEN QUOTE: NO
DUE DATE:
VERBAL QUOTE: NO
SINGLE SOURCE: NO
NO. OF VENDORS NOTIFIED: 15
NO. OF VENDORS RECEIVING BID: 6
NO. OF VENDORS RETURNING BID: 4
NO. OF VENDORS DISQUALIFIED: 1
NO. OF VENDORS NOT RESPONDING: 2
DATE SENT TO DEPT FOR RECOMM: 12/15/92
DATE RECOMMENDATION REC'D IN PURCH 01/22/93

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
DATE INFO SENT TO LAW DEPT:	02/04/93	
INTRODUCTION DATE:	02/09/93	
DISCUSSION DATE:	02/16/93	
PASSAGE DATE:	02/23/93	

ORDINANCE NO:

AMOUNT APPROVED AND/OR SPENT
LAST YEAR:

I.T.B. #5074
 POWDERED ACTIVATED CARBON
 OPENED 12/10/92

DESCRIPTION	CALGON CARBON	ACTICARB
COST/TON	\$586.00	\$450.00
FREIGHT/TRUCK TON	\$50.00	\$117.90
DEMURRAGE	\$240.00	NONE
FREIGHT/RAIL TON	N/B	\$100.00
DEMURRAGE	N/B	NONE
TOTAL W/O FREIGHT	\$210,960.00	\$162,000.00
TOTAL W/FREIGHT VIA TRUCK	\$229,200.00	\$204,444.00
TOTAL W/FREIGHT VIA RAIL	N/B	\$198,000.00
DELIVERY TIME	5-7 DAYS	5-7 DAYS ARO

AMERICAN NORIT - DISQUALIFIED; TURNED IN CASHIER'S CHECK

SHIPPING ONLY BY TRUCK PRICE IS PER TON	GERIG'S TRUCK	TOTAL FREIGHT FOR 360 TON
MARSHALL, TX	\$122.15	\$43,974.00
ROMEO, FL	\$112.95	\$40,662.00
CATLETTSBURY, KY	\$36.95	\$13,302.00
PEARLINGTON, MS	\$112.50	\$40,500.00
CINCINNATI, OH	\$26.50	\$9,540.00
LUDLOW, KY	\$26.50	\$9,540.00
DELIVERY TIME	7-10 DAYS	

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE DECEMBER 10, 1992 BID REFERENCE # 5074

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR THE PURCHASE OF POWDERED
ACTIVATED CARBON AND/OR SHIPPING OF SAME

AND REQUESTED BY FILTRATION PLANT

THIS BID REQUIRES A XXX 5% BID BOND OR CERTIFIED CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Gerig's Trucking & Leasing, Inc.

STREET ADDRESS 3909 Limestone Drive

CITY Ft. Wayne PHONE # (219) 747-2725

BY  Vice President
REPRESENTATIVE SIGNATURE

CITY OF FORT WAYNE
POWDERED ACTIVATED CARBON REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF POWDERED ACTIVATED CARBON FOR THE THREE RIVERS FILTRATION PLANT.

THESE SPECIFICATIONS COVER THE MATERIAL KNOWN AS POWDERED ACTIVATED CARBON AND SHALL BE OF THE KIND USED FOR THE TREATMENT OF WATER FOR THE PURPOSE OF REMOVING TASTE-AND-ODOR PRODUCING SUBSTANCES FROM THE RAW WATER SUPPLY.

ALL LABORATORY EXAMINATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE AMERICAN WATER WORKS ASSOCIATION STANDARD FOR POWDERED ACTIVATED CARBON, AWWA-B600-78.

IMPURITIES - THE POWDERED ACTIVATED CARBON SHALL CONTAIN NO SOLUBLE OR ORGANIC SUBSTANCES IN QUANTITIES CAPABLE OF PRODUCING DELETERIOUS OR INJURIOUS EFFECTS UPON PUBLIC HEALTH OR WATER QUALITY.

MOISTURE - NOT TO EXCEED 8 PERCENT BY WEIGHT WHEN RECEIVED.

FINENESS - NOT LESS THAN 99 PERCENT WILL PASS A 100-MESH SIEVE, NOT LESS THAN 95 PERCENT WILL PASS A 200-MESH SIEVE AND NOT LESS THAN 90 PERCENT WILL PASS A 325-MESH SIEVE, AS TESTED BY THE WET-SCREEN METHOD.

DENSITY - THE APPARENT DENSITY OF THE CARBON SHALL NOT BE LESS THAN 0.2 G/ML NOR GREATER THAN 0.75 G/ML.

ACID INSOLUBLE ASH - NOT TO EXCEED 3 PERCENT BY WEIGHT.

THRESHOLD ODOR IN EVALUATING ACTIVATED CARBON - THE FINAL ACCEPTANCE OF POWDERED ACTIVATED CARBON SHALL BE BASED ON ACTUAL TASTE AND ODOR REMOVAL FROM THE RAW WATER SUPPLY AS DETERMINED BY THE THRESHOLD ODOR TEST PROCEDURE.

EACH BIDDER SHALL SUBMIT WITH THEIR PROPOSAL A ONE-QUARTER POUND REPRESENTATIVE SAMPLE SEALED IN A LEAK-PROOF CONTAINER. A TYPICAL CHEMICAL AND SCREEN ANALYSIS SHALL BE SUBMITTED WITH THE SAMPLE.

THE MATERIAL SHALL BE SHIPPED IN BULK TRUCKS. SHIPMENTS ARE TO BE MADE AS ORDERED BY THE CITY AND DELIVERED FOB THREE RIVERS FILTRATION PL, FORT WAYNE, INDIANA, 46802.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT.

THE ANNUAL REQUIREMENTS FOR POWDERED ACTIVATED CARBON IS ESTIMATED AT 360 TONS, ACTUAL QUANTITIES PURCHASED MAY BE MORE OR LESS.

TERM OF AGREEMENT: JANUARY 1, 1993 THRU DECEMBER 31, 1993

COST TON PROD.:	\$	_____	
FRGHT TRCK COST TON:	\$	<u>See attached</u>	DEMURRAGE: \$ _____
FRGHT RAIL COST TON:	\$	_____	DEMURRAGE: \$ _____
DELIVERY TIME ARO:		<u>7-10 days</u>	
ESTIMATED COST FOR 360 TONS:	\$	_____	

COST FOR PRODUCT AND COST FOR SHIPPING MUST BE BID SEPARATELY.

City of Fort Wayne

Powdered Activated Carbon Requirements

Freight by truck cost per ton from:

American Norit	Acticarb	Calgon	Calgon	HVC Daly
Marshall, TX.	Romeo, FL.	Catlettsburg, KY.	Pearlington, MS.	Cincinnati, OH. Ludlow, KY.
\$122.15	\$112.95	\$36.95	\$112.50	\$26.50

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

1. Governmental Unit: City of Fort Wayne
 2. County: Allen
 3. Bidder (Firm): Gerig's Trucking & Leasing, Inc.
 Address: 3909 Limestone Drive
 City/State: Fort Wayne, IN. 46809
 4. Telephone Number: (21) 747-2725
 5. Agent of Bidder (if applicable): _____

Date: 12-10-92

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

[Signature]
Signature of Bidder or Agent

Vice President

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Gerig's Trucking & Leasing, Inc.
 Bidder (Firm)

[Signature], V.P.
 Signature of Bidder or Agent

Subscribed and sworn to before me this 10th day of December, 1992.

My Commission Expires: 9-3-94

County of Residence: Allen

[Signature]
 Notary Public

..Karen E. Bauer...

Notary Public Printed Name

ACCEPTANCE

There now being sufficient unbilled appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Name: _____

Date: _____

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Gerig's Trucking & Leasing, Inc.
3909 Limestone Drive (Here insert full name and address or legal title of Contractor)
Fort Wayne, Indiana 46809
as Principal, hereinafter called the Principal, and Firemen's Insurance Co. of Newark, New Jersey
P.O. Box 173 (Here insert full name and address or legal title of Surety)
New Albany, Indiana 47151-0173
a corporation duly organized under the laws of the State of New Jersey
as Surety, hereinafter called the Surety, are held and firmly bound unto City of Ft. Wayne
Ft. Wayne, Indiana (Here insert full name and address or legal title of Owner)
as Obligee, hereinafter called the Obligee, in the sum of five percent of the amount bid

Dollars (\$ 5% of bid),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by
these presents.

WHEREAS, the Principal has submitted a bid for Purchase of Freight for
(Here insert full name, address and description of project)
Powered Activated Carbon. for 1993.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract
with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding
or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt
payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter
such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty
hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract
with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain
in full force and effect.

Signed and sealed this 10th day of December 19 92

Karen E. Bauer
(Witness)

Gerig's Trucking & Leasing, Inc.

[Signature] (Principal) (Seal)
Ken Man
(Title)

Sammy L. Masters
(Witness)

Firemen's Insurance Co. of Newark, New Jersey
(Surety) (Seal)

[Signature]
John B. Manus (Title) Attorney-In-Fact

Firemen's Insurance Company of Newark, New Jersey

GENERAL POWER OF ATTORNEY

Know all men by these Presents, That the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY has made, constituted and appointed, and by these presents does make, constitute and appoint

John B. Manus of New Albany, Indiana

its true and lawful attorney, for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

All Obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

Ten Million (10,000,000) Dollars

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY at a meeting duly called and held on the 13th day of January, 1989:

"RESOLVED, that the Chairman of the Board, the Vice Chairman of the Board, the President, an Executive Vice President or a Senior Vice President or a Vice President of the Company, be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY, bonds, undertakings and all contracts of suretyship; and that an Assistant Vice President, a Secretary or an Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof, the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Vice Presidents and attested by one of its Assistant Vice Presidents this 2 day of August 19 89

Attest:

FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY

D.L. Banta

D.L. Banta, Assistant Vice President



By

Emil B. Askew

Emil B. Askew, Vice President

STATE OF CONNECTICUT }
COUNTY OF HARTFORD }

ss.:

On this 2 day of August, 19 89, before me personally came Emil B. Askew, to me known, who being by me duly sworn, did depose and say that he is a Vice President of the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



CERTIFICATE

Gloria D. Seekins

GLORIA D. SEEKINS
NOTARY PUBLIC
My Commission Expires March 31, 1993

I, the undersigned, an Assistant Vice President of the FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY, a New Jersey corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the town of Farmington, the State of Connecticut. Dated the 10th day of December, 1992



J. Dennis Lane

J. Dennis Lane, Assistant Vice President

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE DECEMBER 10, 1992 BID REFERENCE # 5074

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR THE PURCHASE OF POWDERED
ACTIVATED CARBON AND/OR SHIPPING OF SAME

AND REQUESTED BY FILTRATION PLANT

THIS BID REQUIRES A XXX 5% BID BOND OR CERTIFIED CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME ACTICARB, A DIVISION OF ROYAL OAK ENT., INC.

STREET ADDRESS 551 N. US Hwy. 41

CITY Dunnellon, Florida PHONE # (904) 489-3336
800-874-3302

BY James E. Allen
REPRESENTATIVE SIGNATURE James E. Allen
Sr. Vice-President

CITY OF FORT WAYNE
POWDERED ACTIVATED CARBON REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF POWDERED ACTIVATED CARBON FOR THE THREE RIVERS FILTRATION PLANT.

THESE SPECIFICATIONS COVER THE MATERIAL KNOWN AS POWDERED ACTIVATED CARBON AND SHALL BE OF THE KIND USED FOR THE TREATMENT OF WATER FOR THE PURPOSE OF REMOVING TASTE-AND-ODOR PRODUCING SUBSTANCES FROM THE RAW WATER SUPPLY.

ALL LABORATORY EXAMINATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE AMERICAN WATER WORKS ASSOCIATION STANDARD FOR POWDERED ACTIVATED CARBON, AWWA-B600-78.

IMPURITIES - THE POWDERED ACTIVATED CARBON SHALL CONTAIN NO SOLUBLE OR ORGANIC SUBSTANCES IN QUANTITIES CAPABLE OF PRODUCING DELETERIOUS OR INJURIOUS EFFECTS UPON PUBLIC HEALTH OR WATER QUALITY.

MOISTURE - NOT TO EXCEED 8 PERCENT BY WEIGHT WHEN RECEIVED.

FINESS - NOT LESS THAN 99 PERCENT WILL PASS A 100-MESH SIEVE, NOT LESS THAN 95 PERCENT WILL PASS A 200-MESH SIEVE AND NOT LESS THAN 90 PERCENT WILL PASS A 325-MESH SIEVE, AS TESTED BY THE WET-SCREEN METHOD.

DENSITY - THE APPARENT DENSITY OF THE CARBON SHALL NOT BE LESS THAN 0.2 G/ML NOR GREATER THAN 0.75 G/ML.

ACID INSOLUBLE ASH - NOT TO EXCEED 3 PERCENT BY WEIGHT.

THRESHOLD ODOR IN EVALUATING ACTIVATED CARBON - THE FINAL ACCEPTANCE OF POWDERED ACTIVATED CARBON SHALL BE BASED ON ACTUAL TASTE AND ODOR REMOVAL FROM THE RAW WATER SUPPLY AS DETERMINED BY THE THRESHOLD ODOR TEST PROCEDURE.

EACH BIDDER SHALL SUBMIT WITH THEIR PROPOSAL A ONE-QUARTER POUND REPRESENTATIVE SAMPLE SEALED IN A LEAK-PROOF CONTAINER. A TYPICAL CHEMICAL AND SCREEN ANALYSIS SHALL BE SUBMITTED WITH THE SAMPLE.

THE MATERIAL SHALL BE SHIPPED IN BULK TRUCKS. SHIPMENTS ARE TO BE MADE AS ORDERED BY THE CITY AND DELIVERED FOB THREE RIVERS FILTRATION PL, FORT WAYNE, INDIANA, 46802.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT.

THE ANNUAL REQUIREMENTS FOR POWDERED ACTIVATED CARBON IS ESTIMATED AT 360 TONS, ACTUAL QUANTITIES PURCHASED MAY BE MORE OR LESS.

TERM OF AGREEMENT: JANUARY 1, 1993 THRU DECEMBER 31, 1993

COST TON PROD.:	<u>\$ 450/per ton</u>	
FRGHT TRCK COST TON:	<u>\$ 117.90 per ton</u>	DEMURRAGE: \$ <u>—</u>
FRGHT RAIL COST TON:	<u>\$ 100/per ton</u>	DEMURRAGE: \$ <u>—</u>
DELIVERY TIME ARO:	<u>5 to 7 Days ARO</u>	
ESTIMATED COST FOR 360 TONS:	<u>\$162,000.00 (\$450 X 360)</u>	

COST FOR PRODUCT AND COST FOR SHIPPING MUST BE BID SEPARATELY.

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

1. Governmental Unit: City of Fort Wayne
 2. County: Allen County
 3. Bidder (Firm): ACTICARB, A DIVISION OF ROYAL OAK ENT., INC.
 Address: 551 N. US Hwy. 41
 City/State: Dunnellon FL 34432
 4. Telephone Number: (904) 489-3336 or 800-874-3302
 5. Agent of Bidder (if applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James E. Allen
 Signature of Bidder or Agent James E. Allen
 Sr. Vice-President

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA) Florida
) Marion
 COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such bidding nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

ACTICARB, A DIVISION OF ROYAL OAK ENT. INC.

Bidder (Firm)

James E. Allen
 Signature of Bidder or Agent

Subscribed and sworn to before me on this 7 day of December, 1992.

My Commission Expires My Commission Expires Feb. 4, 1995

County of Residence: MARION

Wylene Pearson
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Name(s): _____

Unit: _____

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Acticarb, a division of Royal Oak Enterprises, Inc.

....., as Principal, (hereinafter called the "Principal"), and
 the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized
 under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound
 unto City of Ft. Wayne, Indiana
One Main Street

Ft. Wayne, Indiana 46802 as Obligee, (hereinafter called the "Obligee"),
 in the sum of Five percent of amount bid ----- Dollars (\$xxxxxxxxxx),
 for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves,
 our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for.....
supply of powdered activated carbon

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into
 a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be
 specified in the bidding or contract documents with good and sufficient surety for the faithful performance of
 such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the
 event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal
 shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said
 bid and such larger amount for which the Obligee may in good faith contract with another party to perform
 the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 10th day of December A.D. 1992

Wylene M. Pearson
 Witness

Acticarb, a division of
Royal Oak Enterprises, Inc. (SEAL)
 Principal

James E. Allen
 Sr. Vice-President
 James E. Allen

Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
 Surety

Allen Carter Little
 Witness

By Thomas E. Coker (SEAL)
 Attorney in Fact Title

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by R. W. BUDDENBOHN, Vice-President, and M. J. SCHNEBELEN, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Thomas E. Coker and Vera Harrell, both of Atlanta, Georgia, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Christopher B. Wortham, et al, dated, August 9, 1983.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 11th day of July, A.D. 1988

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

M. J. Schnebelen By *R. W. Buddenbohn*
Assistant Secretary Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE

ss:

On this 11th day of July, A.D. 1988, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.



Carol J. Fader
Notary Public Commission Expires July 1, 1990

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 10 day of December, 1992

032-0078

Christopher T. Maddox
Assistant Secretary



A Division of Royal Oak Enterprises, Inc.
551 North U.S. Highway 41
Dunnellon, Florida 32630
(904) 489-3336

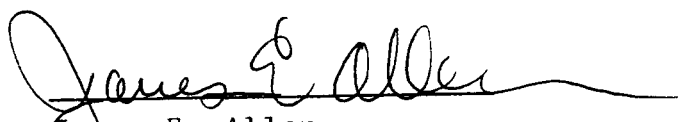
AFFIDAVIT OF COMPLIANCE

To: Fort Wayne, Indiana

Date: 12-7-92

This is to state that Acticarb's WATERCARB powdered activated carbon meets or exceeds the applicable provisions of AWWA Standard B600-90 in all respects (and of B600-78 for phenol value), and the specifications of the Purchaser's Contract which shall prevail.

It also complies with specifications for purity listed in the Water Chemical Codex published by the Committee on Water Treatment Chemicals - Food and Nutrition Board - Assembly of Life Sciences - National Research Council - National Academy Press, Washington, D.C., 1982.


James E. Allen
Sr. Vice-President

This Affidavit of Compliance is in accordance with Section 1.3 of the AWWA B600-90 Standard.

WATERCARB AND WATERCARB PLUS ALSO MEETS NSF STANDARD 61.

Material Safety Data Sheet

QUICK IDENTIFIER (In Plant Common Name)

POWER ACTIVATED CARBON

Manufacturer's Name ACTICARB, Division of Royal Oak Ent., Inc.

Emergency Telephone No. 904/489-3336

Address 551 North US Highway 41, Dunnellon, FL 34432

Other Information Calls None Available

Signature of Person Responsible for Preparation JIM STROUP

Date Prepared 6/16/92

SECTION 1 - IDENTITY

Common Name: (used on label) WATERCARB AND WATERCARB PLUS
(Trade Name & Synonyms)

Cas No. 7440-44-0

Chemical Name Powdered Activated Carbon

Chemical Family Carbon

Formula C

SECTION 2 - HAZARDOUS INGREDIENTS

Principal Hazardous Component(s) (chemical & common name(s))	%	Threshold Limit Value (units)
--	---	-------------------------------

(non hazardous) Carbon	93%	*10mg/M ³
------------------------	-----	----------------------

7% **

** will vary between moisture and ash

* ACGIH value as listed for nuisance dust

Note: this powdered activated carbon is manufactured for the treatment of
potable water

SECTION 3 - PHYSICAL & CHEMICAL CHARACTERISTICS (Fire & Explosion Data)

Boiling Point	Not Applicable	Specific Gravity (H ₂ O = 1)	0.45-0.51	Vapor Pressure (mm Hg)	Not Applicable
---------------	----------------	---	-----------	------------------------	----------------

Percent Volatile by Volume (%)	3%	Vapor Density (Air = 1)	Not Applicable	Evaporation Rate (_____ = 1)	Not Applicable
--------------------------------	----	-------------------------	----------------	------------------------------	----------------

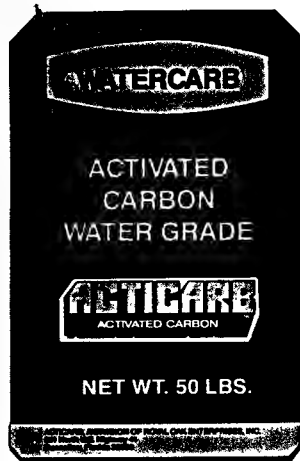
Solubility in Water	Insoluble	Reactivity in Water	None reactive
---------------------	-----------	---------------------	---------------

Appearance and Odor Black, odorless powder (Corrosive when wet, non-corrosive in dry form)

Flash Point	Not Applicable	Flammable Limits in Air % by Volume	Lower Not Applicable	Upper	Extinguisher Media	Dry chemical or water-fine mist	Auto-Ignition Temperature	above 350° F
-------------	----------------	-------------------------------------	----------------------	-------	--------------------	---------------------------------	---------------------------	--------------

Special Fire Fighting Procedures Use self contained breathing apparatus. Use fine spray of water, avoid methods that may stir up dust clouds, or cause the burning particles of carbon to fly over the area spreading the fire.

Unusual Fire and Explosion Hazards Fire generally burns slowly with a dull glow and may be difficult to detect. Airborne dust may create an explosion hazard (although no recorded case of carbon dust explosion is known).



POWDERED ACTIVATED CARBON

"Watercarb" Powdered Activated Carbon meets A.W.W.A. Standard B-600-78, for treatment of potable drinking water and is totally compatible with all municipal water treatment use and application systems. A representative sales specification shown below:

Phenol Value (ppm)	18 ± 2
Modified Phenol Value (g/1)	1.82 - 2.28
Density, (#/cu. ft.)	28 - 32
Density (g/ml)45 - .51
Iodine Number, Min. (Mg/g)	550
Moisture, % Max. (When shipped)	5%
Acid Insoluble Ash, % Max.	1.5%
Fineness, U.S. Sieve Series	
Thru 100 Mesh, % Min.	99%
Thru 200 Mesh, % Min.	95%
Thru 325 Mesh, % Min.	90%

Bag Specifications

Weight	50 lbs.
Size	24" x 32" x 7"
Construction	Alternative 1 - 5 ply Alternative 2 - 6 ply

"Watercarb" is available from Dunnellon, Florida. It can be shipped in 50 lb. bags either loose, or on pallets with poly stretch wrap. It is also available in bulk, by railcars or pneumatic trucks or bulk bags of approximately 900 pounds.



551 North U.S. Hwy. 41 Dunnellon, Florida 32630

Phone: 904-489-3336

Toll Free 1-800-874-3302



Read the first time in full and on motion by Edmonds, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-9-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 2-23-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~

(SPECIAL) ~~(ZONING)~~ ORDINANCE RESOLUTION NO. D-19-93

on the 23rd day of February, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark P. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of February, 1993, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of March, 1993, at the hour of 10 o'clock A. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



THE CITY OF FORT WAYNE



Paul Helmke
Mayor

February 5, 1993

Fort Wayne City Council Members
Room 126 - Council Chambers
1 Main Street
Fort Wayne, Indiana 46802

Re: BID 5073 - LIQUID CARBON DIOXIDE
BID 5067 - PEBBLE LIME
BID 5074 - POWDERED ACT CARBON
BID 5071 - LIQ ANHYDROUS AMMONIA

Dear Council Members:

J-93-02-07

These chemicals, along with Liquid Ferric Sulfate, Sodium Chlorite, chlorine gas, Soda Ash and Sodium silica Fluoride are the nine bulk chemicals that we use to remove the various impurities from the river water to convert the water to a drinkable condition referred to as "Potable". Liquid Carbon dioxide is used to reduce the high pH to remove excess calcium used in the "excess lime softening process". Pebble lime is the most bulky chemical that removes most of the dirt, bacteria and hardness. Powdered activated carbon is used to remove taste, odor and color (and some volatile solvents, pesticides etc.) Liq. Anhydrous Ammonia is used in combination with chlorine to form Chloramine which is a disinfectant with long acting effects that kills off the pathogenic (disease causing) bacteria that may be in the water after treatment and filtration. Without these 4 chemicals (and the other 5 listed above) we cannot treat the water to make it potable. If you have any further questions, please call me at 427-1254 ext 5338.

Very truly yours,

John McLane, Filtration Plant Superintendent

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 5074 for the purchase of powdered activated carbon and shipping of same for the Filtration Plant.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Will allow treatment of drinking water.

IF REPLACEMENT, WHAT NECESSITATES:

EFFECT OF NON-PASSAGE: Will be unable to treat drinking water.

MONIES INVOLVED:	Acticarb	\$81000.00+/-
	Gerig's Trucking	\$20331.00+/-

ACCOUNT INFO:	Filtration Plant	513-523-W154-4253
---------------	------------------	-------------------

PRICE AGREEMENT: YES

PURCHASE ORDER: NO

SOURCE OF FUNDING: Filtration Plant

PRIOR APPROVAL: No
(IF APPLICABLE)

DATE:

BILL NO. S-93-02-07

REPORT OF THE COMMITTEE ON
CITY UTILITIES
JANET G. BRADBURY - CHAIRPERSON
SAMUEL J. TALARICO - VICE CHAIRPERSON
RAVINE, HENRY

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #5074 by the City of Fort Wayne, Indiana, by
and through its Department of Purchasing and GERIG'S
TRUCKING & LEASING, INC. AND ACTICARB, A DIVISION OF ROYAL
OAK ENT., INC. for the Water Filtration Plant

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Henry Ravine

Sam Talarico

Janet G. Bradbury

DATED: 2-23-93

Sandra E. Kennedy
City Clerk